



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*[Signature]*Declaration for Patent Application

## [ ] Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Red Blood Cells Loaded with S-Nitrosothiol and Uses Therefor

the specification of which (check one)

[ ] is attached hereto.

[X] was filed on October 23, 2001 as United States Application

Number or PCT International Application No. 10/045,603

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Priority Not Claimed</u>	<u>Certified Copy Filed?</u>
	YES	NO
(Number) _____	(Country) _____	(Day/Month/Year filed) _____
_____	_____	_____
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(Number) _____	(Country) _____	(Day/Month/Year filed) _____
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Jonathan S. Stamler

Inventor's Signature J.S.

Date 5/17/07

Residence 101 Juniper Place

Chapel Hill, North Carolina 27514

Citizenship U.S.A.

Mailing Address Same as above

Full name of second joint

inventor, if any Joseph Bonaventura

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence 114 Broad Street

Beaufort, North Carolina 28516

Citizenship U.S.A.

Mailing Address Same as above

Full name of third joint

inventor, if any John R. Pawloski

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence 504 Wild Rose Court

Raleigh, North Carolina 27615

Citizenship U.S.A.

Mailing Address Same as above

Full name of fourth joint

inventor, if any Timothy J. McMahon

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence 11 Streamley Court

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Chapel Hill, North Carolina 27514  
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Mailing Address Same as above

Full name of second joint  
inventor, if any Joseph Bonaventura  
Inventor's Signature Joseph Bonaventura Date 22 May 202  
Residence 114 Broad Street  
Beaufort, North Carolina 28516  
Citizenship U.S.A.  
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Full name of third joint  
inventor, if any John R. Pawloski  
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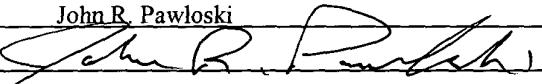
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inventor, if any Timothy J. McMahon  
Inventor's Signature Tim J. McMahon Date 5/17/02  
Residence 11 Streamley Court  
Durham, NC 27705-5396  
Citizenship U.S.A.  
Mailing Address Same as above

STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.27(a))-NONPROFIT ORGANIZATION

DOCKET NUMBER: 1818.1009-009



Applicant or Pattee: Jonathan S. Stamler, Joseph Bonaventura, John R. Pawloski and Timothy J. McMahon  
Application or Patent No.: 10/045,603  
Filed or Issued: October 23, 2001  
Title: Red Blood Cells Loaded with S-Nitrosothiol and Uses Therefor

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION Duke University

ADDRESS OF NONPROFIT ORGANIZATION Erwin Road

Durham, North Carolina 27710

TYPE OF NONPROFIT ORGANIZATION:

- [ X ] UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- [ ] TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C.501(a) and 501(c)(3))
- [ ] NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)
- [ ] WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- [ ] WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.27(a)(3) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- [ ] the specification filed herewith with title as listed above.
- [ X ] the application identified above.
- [ ] the patent identified above.

I hereby state that the rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities. No rights to the invention are held by any person who would not qualify as a person under 37 CFR 1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2) or a nonprofit organization under 37 CFR 1.27(a)(3).

Each person, concern, or organization having any rights in the invention is listed below:

- [ X ] no such person, concern, or organization exists.
- [ ] each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)(2))

NAME OF PERSON SIGNING Robert L. Taber

TITLE IN ORGANIZATION OF PERSON SIGNING Vice Chancellor, Duke University

ADDRESS OF PERSON SIGNING Room 1121, Davison Building, Duke South Hospital

Durham, North Carolina 27710

SIGNATURE M.L.T. DATE 5-23-02